TOWN OF LEESBURG

Town Hall 25 West Market Street

AGENDA

Town Council Special Meeting April 8, 2013 7:30 p.m. Council Chambers

- 1. Call to Order
- 2. Public Hearing
 - a. Tax Rate Public Hearing (Tab 08)(15 min)
- 3. Adjournment

AGENDA

Town Council Work Session Immediately following Special Meeting

- 1. Items for Discussion
 - a. Utility Rate Advisory Committee Update (Material to be presented)(30 min)
 - b. Budget Work Session Mark up (Material to be presented)(60 min)
 - c. JLMA Crosstrail and Tuscarora Crossing Referrals (Tab 01)(30 min)

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- 2. Additions to Future Council Meetings (Tab A)
- 3. Closed Session
 - a. Real Estate Matters
- 4. Council Invitations
 - April 5 Valor Awards, 11:30-2 p.m., National Conference Center
 - April 5 Leesburg Today Ribbon Cutting, 5 p.m., 19 North King Street
 - April 7 Anthony Benezet Father of Atlantic Abolitionism, 2 p.m., Balch Library
 - *April 13* Civil War 150 Legacy Project Scanning Event, 10 am 4 pm, Balch Library
 - *April 14* Joe Rochefort's War: The Odyssey of the Codebreaker Who Outwitted Yamamoto at Midway
 - April 20-21 Leesburg Flower and Garden Festival, 10-6/10-5, Downtown
 - April 28 Loudoun County Chancery Records, 2 p.m., Thomas Balch Library
 - *April 30* Crescent Design District Open House, 6-9 p.m., Ida Lee Rec. Ctr. (Lower Level)
 - May 2 Researching the Revolutionary War, 10 a.m., Thomas Balch Library
 - May 3 Well & Good Ribbon Cutting, time tbd, Market Station
 - May 4 Art Station Ribbon Cutting, 11 a.m., Village at Leesburg
 - May 4 In Form Fitness Ribbon Cutting, 5 p.m., 15 North King Street
 - May 5 The Zimmerman Telegram: Intelligence, Diplomacy and America's Entry into WWI, 2 p.m., Thomas Balch Library
 - May 15 Business Appreciation Awards, 6-8 p.m., ProJet Aviation Hangar

TOWN OF LEESBURG

Town Hall 25 West Market Street

AGENDA

Town Council Meeting April 9, 2013 7:30 p.m. Council Chambers

- 1. CALL TO ORDER
- 2. INVOCATION: Council Member Wright
- 3. SALUTE TO THE FLAG: Council Member Dunn
- 4. ROLL CALL
- 5. MINUTES (Tab B)
 - a. Regular Session Minutes of February 26, 2013
 - b. Work Session Minutes of March 11, 2013
 - c. Regular Session Minutes of March 12, 2013
- 6. ADOPTING THE MEETING AGENDA (AMENDMENTS AND DELETIONS)
- 7. PRESENTATIONS (*Tab C*)
 - a. <u>Certificate of Recognition</u> Achievement of Eagle Scout Rank Robert McCurdy, Jr.
 - b. <u>Certificate of Appreciation</u> James Wynn
 - c. <u>Proclamation</u> Lyme Disease Awareness Month
 - d. Proclamation National Library Week
 - e. Proclamation Autism Awareness Month
 - f. <u>Presentation</u> Environmental Advisory Commission Annual Report
- 8. PETITIONERS
- 9. APPROVAL OF THE CONSENT AGENDA (5 min.)
 - a. JLMA Crosstrail and Tuscarora Crossing Referrals (*Tab 01*)

MOTION

I move that Council endorse the referral comment letter dated April 10, 2013 for ZMAP 2012-0021, Crosstrail; SPEX 2012-0047 Crosstrail Hotel; SPEX 2012-0048 Crosstrail Gas Pumps; and SPEX 2012-0049, Crosstrail Outdoor Sales, first submission, and that the letter be forwarded to county staff.

MOTION

I move that Council endorse the referral comment letter dated April 10, 2013 for ZMAP 2012-0021, Tuscarora Crossing, second submission, and that the letter be forwarded to county staff.

b. <u>Making an Appointment to the Technology and Communication</u> Commission (Martinez) (Tab 02)

RESOLUTION

Making an Appointment to the Technology and Communication Commission (Binkley)

c. <u>Making a Reduction of the Performance Guarantee for Public Improvements at Star Building Addition (TLPF 2011-0008)</u> (*Tab 03*)

RESOLUTION

Making a Reduction of the Performance Guarantee for Public Improvements at Star Building Addition (TLPF 2011-0008)

d. Loudoun Water Antenna Lease Agreement (Tab 04)

RESOLUTION

Authorizing Loudoun Water's Request for Lease Agreement to Install an Automated Metering Infrastructure Antenna on Carr Tank I

10. PUBLIC HEARINGS/PUBLIC INPUT

a. Appeal of BAR Case No. TLAP-2013-0001, Old Town Grill (Tab 05)(30 min)

MOTION - DISMISS

I move to DISMISS the decision of the Board of Architectural Review in case TLHP-2012-0118, rendered on January 23, 2013 due to the lack of any issue having been raised as a basis for the appeal as required by Zoning Ordinance Section 3.10.14.B.

MOTION - AFFIRM

I move to AFFIRM the decision of the Board of Architectural Review in case TLHP-2012-0118, rendered on January 23, 2013.

MOTION - REVERSE

I move to REVERSE the decision of the Board of Architectural Review in case TLHP-2012-0118, rendered on January 23, 2013.

MOTION - MODIFY

I move to MODIFY the decision of the Board of Architectural Review in case TLHP-2012-0118, rendered on January 23, 2013. by:

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b. Appeal of BAR Case No. TLAP-2013-0002 Kingdom Enterprise (material to be forwarded)(30 min)

MOTION (as necessary)

c. Special Exception TLSE 2012-0003 Home Depot (Tab 06)(30 min)

RESOLUTION

Approving TLSE 2012-0003, Home Depot, A Special Exception to Allow Vehicle Rental and Outdoor Storage at 280 Fort Evans Road Identified as Loudoun County Parcel Identification Number (PIN) 147-15-0298

d. Adopting the Budget for Fiscal Year 2014 (Tab 07)(20 min)

ORDINANCE

Adopting the Budget for Fiscal Year 2014; Making Appropriations for FY 2014 for the General Fund, Utilities Fund, and Capital Projects Fund; Setting Fees for Airport Hangars and Tie-Downs; Authorizing Amendments to the Budget and Supplemental Appropriations by Council Resolution; and Authorizing and Directing the Town Manager to Take All Steps Necessary and Prudent to Effecuate the Implementation of the Ordinance

11. RESOLUTIONS AND MOTIONS

a. Adopting the Fiscal Year 2014-2019 Capital Improvements Program (Material to be presented)(15 min)

RESOLUTION

Adopting the Fiscal Year 2014-2019 Capital Improvements Program in the Amount of \$56,513,900

12. ORDINANCES

a. Making Annual Levy and Rate of Taxes (Tab 08)(20 min)

ORDINANCE

Ordaining Chapter 20 (Licenses, Taxation, and Miscellaneous Regulations), Article II (Taxation Generally), Section 20-22 (Annual Levy and Rate of Taxes), and Appendix B (Fee Schedule) Setting Tax Rates on Real Estate, Vehicles Used as Mobile Homes or Offices, Tangible Personal Property, Real Estate and Tangible Personal Property of Public Service Corporations and Bank Capital, Airport Fees for Airport Hangars and Tie Downs, and Setting Utility Water and Sewer Rates for Tax Year 2013

13. UNFINISHED BUSINESS

14. NEW BUSINESS

- 15. COUNCIL COMMENTS
- 16. MAYOR'S COMMENTS
- 17. MANAGER'S COMMENTS
- 18. CLOSED SESSION
 - a. None.
- 19. ADJOURNMENT

ASSISTED LISTENING SYSTEM

Is available at the meeting. If you require any type of reasonable accommodation, as a result of a physical, sensory, or mental disability, to participate in this meeting, please contact the Clerk of Council at 703-771-2733. Three days notice is requested. Thank you.

REGULARLY SCHEDULED COUNCIL MEETINGS

Citizens are invited to attend and participate in Town Council meetings. The petitioner's portion of the meeting and scheduled public hearings offer the public two opportunities to present their views to the Council during its meeting.

Petitioners

The petitioners' portion of the Council agenda is the first item taken up by the Council following proclamations and certificates of appreciation. This part of the meeting affords individuals the opportunity to address the Council on any matter not scheduled for a public hearing. Prior to the meeting, those citizens wishing to speak should sign the Clerk's Register on the podium at the front of the Chambers. The Mayor will announce the availability of the sign-up sheet at the beginning of all regular meetings. Petitioners' presentations should be limited to five minutes.

Public Hearings

Certain items of Town business can only be conducted after the Town Council conducts an advertised public hearing. Certain major issues affecting the town's government can also be scheduled for public hearing at the option of the Council. Adoption of the town budget, rezonings, special exceptions and amendments to the Town's subdivision and zoning ordinances all require a public hearing.

Decorum

A person addressing the Council as a petitioner, or during a public hearing, should advance to the podium when recognized by the Mayor and state his or her name and address. Persons should also indicate whether they are representing anyone other than themselves. After the presentation or comments, the Mayor or members of Council may have questions of the petitioner. Decorum will be maintained. Statements, which are demeaning or defamatory to members of the public, the staff or the Council, are inappropriate and out of order.

OTHER COUNCIL MEETINGS

Work Sessions/Committee of the Whole

Council may elect to place an item on the Tuesday night meeting agenda for action. Items will only be added to the agenda if agreed to by a majority of Council present.

Closed Sessions

Under certain circumstances, the Virginia Freedom of Information Act permits the Town Council to meet in a session where the public is excluded. This may be a discussion of personnel matters, legal matters, the acquisition or sale of property and other selected topics. The Council can only go into closed session from a public session and the notice must cite the specific statutory authority to go into closed session and also indicate the general topic to be discussed. Only those matters in the adopted motion to go into closed session can be discussed at that time.

TOWN COUNCIL AGENDA MATERIALS

Generally, all items on the regular Council agenda have been first considered at the Council Committee of the Whole. Individual council members, however, can request full Council action on an item considered, but not reported out of committee.

Materials previously distributed to the Council on Thursday are available to citizens on request from the Clerk's Office. Citizens may also provide the Clerk of Council with an e-mail address or self-addressed, stamped envelopes and Council agendas will be provided to the citizens without further charge. For more information, call the Clerk's Office at (703) 771-2733 during normal business hours or e-mail at clerk@leesburgva.gov.

Meeting agenda packets are available for public inspection in the lobby of Town Hall on Thursdays prior to the scheduled meeting. Council agendas can also be viewed on the town's World Wide Web site at http://www.leesburgva.gov.